

REMARKS

The Applicant has carefully reviewed the Final Office Action (hereinafter “Office Action”) mailed December 21, 2009 and offers the following remarks to accompany the above amendments. The Applicant concurrently files a Request for Continued Examination.

Claims 1, 2, 5, 7, 8, 14, 16-20, 23, 25, 26, 32, and 34-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,603,965 B1 to *Dinkin* (hereinafter “*Dinkin*”) in view of U.S. Patent Application Publication No. 2002/0072391 A1 to *Itoh et al.* (hereinafter “*Itoh*”) and further in view of U.S. Patent No. 7,184,418 B1 to *Baba et al.* (hereinafter “*Baba*”). The Applicant respectfully traverses the rejection.

When rejecting a claim under 35 U.S.C. § 103, the Patent Office must either show that the prior art references teach or suggest all limitations of the claim or explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art.¹ The gap between the prior art and the claimed invention may not be “so great as to render the [claim] nonobvious to one reasonably skilled in the art.”² Here, the Patent Office has failed to show where each and every limitation of the claims is taught or suggested by the prior art. Further, for those limitations of the claims that are not taught or suggested by the prior art, the Patent Office has failed to explain why those limitations would have been obvious to one of ordinary skill in the art. More specifically, claim 1 has been amended to recite a mobile terminal comprising a control system adapted to, among other features, establish a first communication session identified with a communication ID and a second communication session also identified with the same communication ID “such that both the first session and the second session have the communication ID.” Claim 19 has been amended to include similar features. The Applicant has reviewed the cited references and submit that none of the references, either alone or in combination, disclose or suggest establishing first and second communication sessions that are both identified with the same communication ID. As such, claims 1 and 19, along with claims 2, 5, 7, 8, 14, 16-18, 20, 23, 25, 26, 32, and 34-38, which depend from either claim 1 or claim 16, are patentable over the cited references and the Applicant requests that the rejection be withdrawn.

¹*KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. 398, 418, 82 U.S.P.Q.2d (BNA) 1385 (2007).

²*Dann v. Johnston*, 425 U.S. 219, 230, 189 U.S.P.Q. (BNA) 257, 261 (1976).

Claims 9-11, 13, 15, 27-29, 31, and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Dinkin* in view of *Itoh* and *Baba* and further in view of U.S. Patent Application Publication No. 2004/0259544 A1 to *Amos* (hereinafter “*Amos*”). The Applicant respectfully traverses the rejection. As noted above, claims 1 and 16, the base claims from which claims 9-11, 13, 15, 27-29, 31, and 33 respectively depend, are patentable over *Dinkin*, *Itoh*, and *Baba*. Moreover, *Amos* does not address the previously noted problems of *Dinkin*, *Itoh*, and *Baba*. Therefore, claims 9-11, 13, 15, 27-29, 31, and 33 are patentable over the cited references and the Applicant requests that the rejection be withdrawn.

The present application is now in a condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact the Applicant’s representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,
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